

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**IN THE MATTER OF THE
EXTRADITION OF:**

**SHIN JUNG KWON,
a/k/a SHIN CHANG KI**

**CASE NO. '12-MC-206 1
COMPLAINT FOR EXTRADITION
(18 U.S.C. § 3184)**

*** * * FILED UNDER SEAL * * ***

I, the undersigned Assistant United States Attorney, being duly sworn, state on information and belief that the following is true and correct:

1. In this matter, I act for and on behalf of the Government of the Republic of Korea ("requesting state");
2. There is an extradition treaty in force between the United States and the Republic of Korea that entered into force on December 20, 1999. *See* Exhibit A at 1, and 5-19.
3. In accordance with Article 2 and Article 8 of the extradition treaty, the Government of the Republic of Korea has asked the United States through diplomatic channels for the arrest and extradition of SHIN JUNG KWON a/k/a SHIN CHANG KI ("KWON"). *See* Exhibit A at 1-3.

4. According to the information provided by the requesting state in the form authorized by the extradition treaty, an arrest warrant was issued on October 19, 2009 for KWON'S arrest by the Seoul Central District Court of the Republic of Korea for embezzlement, in violation of the Act on the Aggravated Punishment, etc. of Specific Economic Crimes (Embezzlement), and Articles 350 and 356 of the Korean Criminal Act. These statutes were in effect when the crimes alleged in the arrest warrant were committed. The arrest warrant is valid until February 28, 2013. The crime of embezzlement is an extraditable offense under Article 2 of the Extradition Treaty between the United States and the Republic of Korea.

5. As set forth in materials submitted by the requesting state on or about May 18, 2010, which I have reviewed and attached hereto as Exhibit A, the facts of the case are as follows:

a. KWON is a female citizen of the Republic of Korea, who was born in 1972.

b. On July 30, 2007, the Korean Branch of CE Nuclear Power International Inc. ("the Company") filed a complaint against KWON for violation of the Act on the Aggravated Punishment, etc. of Specific Economic Crimes (Embezzlement). CE Nuclear Power International Inc. is an American company that is headquartered at 1209 Orange Street, Wilmington, Delaware. The complaint alleged:

i. The Korean Branch of CE Nuclear Power International Inc. is located on Oksan Building 6F, 157-33 Samseong-dong, Gangnam-gu, Seoul, Korea.

ii. While KWON served as the accounting manager of the Korean Branch of CE Nuclear Power International Inc. and was entrusted with company funds, she

embezzled a total of 726,311,106 Korean won on sixty occasions from February 5, 1999 to October 4, 2002. KWON transferred 726,311,106 Korean won of the Company's funds from the Company's bank accounts at Korea Exchange Bank and Nonghyup Bank, to KWON'S bank accounts at Korea Exchange Bank and Kookmin Bank.

c. On August 21, 2007, Kyung Hwa Yoon, who was an employee of the Korean Branch of CE Nuclear Power International Inc., testified before the Seoul Seocho Police in a "Supporting Deposition" to the following facts:

i. The Korean Branch of CE Nuclear Power International Inc. plays an important role in the nuclear power plant development program in Korea by designing plants and installing equipment, including the Yeonggwang Nuclear Power Plant.

ii. KWON served as the account manager of the aforementioned company from approximately April 1996 to December 31, 2002, and she was entrusted with the Company's funds.

iii. From February 5, 1999 to October 4, 2002 KWON embezzled a total of 726,311,106 Korean won on 60 occasions by transferring 726,311,106 Korean won that were the Company's funds from the Company's accounts (Korea Exchange Bank and Nonghyup Bank) to KWON'S accounts (Korea Exchange Bank and Kookmin Bank).

iv. With the embezzled funds, KWON purchased some greenfield land in Seonchon-ri, Seorak-myeon, Gapyeong-gu, Gyeonggi and in Suip-ri, Seojung-myeon, Yangpyeong-gu, Gyeonggi, and she also purchased a building in Seocho-dong, Seocho-gu, Seoul and spent some for living expenses as well.

v. When the embezzlement was discovered, KWON was fired from

the Company. KWON admitted that she embezzled company funds and wrote a "Written Pledge," stating that she would return the funds to the Company by selling the real estate that she purchased with the embezzled funds.

vi. Although KWON gave the Company a written pledge to return the funds, she did not return the funds to the Company even after several years. Thus, in July 2007, the Company filed a complaint against KWON on charge of embezzlement.

d. KWON'S bank account statements show the transfers of the Company's 726,311,106 Korean won in to KWON'S bank accounts.

e. On November 25, 2002, KWON wrote and gave her "Written Pledge" to the Company. In KWON'S "Written Pledge," KWON admitted that she withdrew Korean won from the Company's bank accounts without the Company's permission for personal purposes. She further admitted to using some of the money to purchase real estate, and some of the money for living and personal expenses. She agreed to return the Company's funds and interest, and to make the Company a mortgagee on the real estate she had purchased with Company funds until she paid the Company back. KWON never returned the money she embezzled to the Company.

f. Certified copies of title reports show that KWON purchased some greenfield land in Seonchon-ri, Seorak-myeon, Gapyeong-gu, Gyeonggi and in Suip-ri, Seojung-myeon, Yangpyeong-gu, Gyeonggi, and she also purchased a building in Seocho-dong, Seocho-gu, and Seoul.

g. On May 2, 2006, KWON departed Korea for the United States, and she has not returned to Korea.

h. On November 1, 2007, the Seoul Seocho Police Station attempted to

locate KWON in Korea to investigate KWON, but confirmed that she had already departed Korea.

i. On November 8, 2007, Prosecutor Gi Ju Na of the Seoul Central Prosecutors' Office received an Arrest Warrant against KWON from Judge Yong Jun Bae. On November 15, 2007, Prosecutor Na ordered a stay of proceedings.

j. The original Arrest Warrant against KWON expired and, on October 19, 2009, Judge Byeong Hun Song of the Seoul Central District Court issued a new Arrest Warrant that is valid until February 28, 2013.

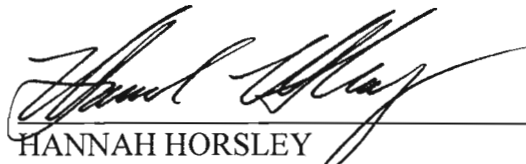
6. According to Republic of Korea authorities, the statute of limitations for this offense in Korea is seven years. But under Korean law, the statute of limitations was suspended as of May 2, 2006 because KWON left Korea on that date and has remained outside of Korea since that time to avoid criminal jurisdiction and punishment.

7. Bud DeLay, who is the Enforcement Supervisor with the United States Marshals Service in Portland, Oregon, informed me that KWON'S current residence is located at 890 Scepter Court, Salem, Oregon 97301. KWON'S photograph was included in the materials submitted by the Korean Ministry of Justice, and her photograph also appears on an Oregon driver's license that shows her address to be 890 Scepter Court NE, Salem, Oregon 97301. Records also show that KWON is receiving unemployment benefits and power service in her name at that address.

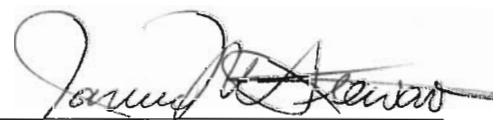
8. Because disclosure of the existence of this complaint and the requested warrant may cause KWON to flee, the undersigned complainant requests that this complaint and the requested warrant be placed UNDER SEAL until KWON'S arrest or until further order of the

Court.

WHEREFORE, the undersigned complainant requests that a warrant for the arrest of SHIN JUNG KWON a/k/a SHIN CHANG KI be issued in accordance with the Extradition Treaty between the United States and the Republic of Korea and Title 18, United States Code, Section 3184, so that she may be arrested and brought before this court, "to the end that the evidence of criminality may be heard and considered." The undersigned further requests that, if the Court deems the evidence sufficient under the provisions of the treaty to sustain the charges for which extradition is sought, the Court certify the same to the Secretary of State so that a warrant may be issued for the surrender of KWON to the appropriate authorities of the Republic of Korea. The United States also requests that this Complaint, Exhibit A and the Arrest Warrant be placed under the seal of the Court until such time as the warrant is executed.


 HANNAH HORSLEY
 Assistant United States Attorney

Sworn to before me and subscribed in my presence this 1st day of June, 2012.


 JANICE M. STEWART
 United States Magistrate Judge